THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HONOURABLE SRI JUSTICE D. APPA RAO

W.P. NO. 17017 of 2006

Dated: 07-09-2006

Between:

M/s Kamal Foot War, 55-12-2, B.I. Industrial Estate, Vijayawada, A.P. represented by its Proprietor Mr. Chandra Prakash Sachdev.

…PETITIONER

And

The Assistant Commissioner CT (Int.) LTU, Autonagar, Vijayawada.

..RESPONDENT

THE HONOURABLE SRI JUSTICE J. CHELAMESWAR
AND
THE HONOURABLE SRI JUSTICE D. APPA RAO

W.P. NO. 17017 of 2006

O R D E R (Per Hon'ble Sri Justice J. Chelameswar)

This writ petition is filed with the prayer as follows:-

> "This Hon'ble Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondent in not issuing the 'F' declarations required by the petitioner as illegal, arbitrary, high handed, without authority of law and declare that the petitioner is entitled for supply of 'F' Declarations under the CST Act as per the application of the petitioner dated 30-05-2006 and acknowledgement of the Sales Tax Department dated 17-06-2006 and the representation of the petitioner dated 5-08-2006."

The substance of the writ petition is that the respondent is not discharging his legal obligation by issuing the declarations in Form 'F' to the petitioner nor he is declining to issue such declarations. It appears that during the pendency of the writ petition the respondent took a decision and intimated to the petitioner that he is not entitled for the declarations in Form 'F' as sought by him.

The learned counsel for the petitioner, therefore, prays that the petitioner be given liberty to file fresh writ petition challenging the decision of the respondent referred to above.

The writ petition is, therefore, dismissed as withdrawn with liberty as prayed for. No costs.

_____

J.

CHELAMESWAR, J

D. APPA RAO,

J

7th September, 2006

vp